General Assembly

Distr.: General
14 May 2004

Fifty-eighth session
Agenda item 21

Resolution adopted by the General Assembly

[*without reference to a Main Committee (A/58/L.59 and Add.1)*]

58/290. The role of diamonds in fuelling conflict: breaking the link between the illicit transaction of rough diamonds and armed conflict as a contribution to prevention and settlement of conflicts

The General Assembly,

Recognizing that the trade in conflict diamonds is a matter of serious international concern, which can be directly linked to the fuelling of armed conflict, the activities of rebel movements aimed at undermining or overthrowing legitimate Governments and the illicit traffic in and proliferation of armaments, especially small arms and light weapons,

Recognizing also the devastating impact of conflicts fuelled by the trade in conflict diamonds on the peace, safety and security of people in affected countries, and the systematic and gross human rights violations that have been perpetrated in such conflicts,

Noting the negative impact of such conflicts on regional stability and the obligations placed upon States by the Charter of the United Nations regarding the maintenance of international peace and security,

Recognizing, therefore, that continued action to curb the trade in conflict diamonds is imperative,

Recognizing also the positive benefits of the legitimate diamond trade to producing countries, and underlining the need for continued international action to prevent the problem of conflict diamonds from negatively affecting the trade in legitimate diamonds, which makes a critical contribution to the economies of many of the producing, exporting and importing States, especially developing States,

Noting that the vast majority of rough diamonds produced in the world are from legitimate sources,

Recalling the Charter and all the relevant resolutions of the Security Council related to conflict diamonds, and determined to contribute to and support the implementation of the measures provided for in those resolutions,

Recalling also Security Council resolution 1459 (2003) of 28 January 2003, in which the Council strongly supported the Kimberley Process Certification Scheme[1] as a valuable contribution against trafficking in conflict diamonds,

Welcoming the important contribution of the Kimberley Process, which was initiated by African diamond-producing countries,

Believing that the implementation of the Kimberley Process Certification Scheme should substantially reduce the opportunity for conflict diamonds to play a role in fuelling armed conflict and should help to protect legitimate trade and ensure the effective implementation of the relevant resolutions on trade in conflict diamonds,

Recalling its resolutions 55/56 of 1 December 2000, 56/263 of 13 March 2002 and 57/302 of 15 April 2003, in which it called for the development and implementation of proposals for a simple, effective and pragmatic international certification scheme for rough diamonds,

Welcoming, in this regard, the implementation of the Kimberley Process Certification Scheme in such a way that it does not impede the legitimate trade in diamonds or impose an undue burden on Governments or industry, particularly smaller producers, and does not hinder the development of the diamond industry,

Welcoming also the decision of countries and one regional economic integration organization to address the problem of conflict diamonds by participating in the Kimberley Process and to implement the Kimberley Process Certification Scheme,

Welcoming further the important contribution made by the diamond industry, in particular the World Diamond Council, as well as civil society, to assist international efforts to stop the trade in conflict diamonds,

Welcoming the voluntary self-regulation initiatives for the diamond industry announced by the World Diamond Council, and recognizing that a system of such voluntary self-regulation will contribute, as described in the Interlaken Declaration of 5 November 2002 on the Kimberley Process Certification Scheme for Rough Diamonds,[2] to ensuring the effectiveness of national systems of internal control for rough diamonds,

Noting with appreciation that the Kimberley Process has pursued its deliberations on an inclusive basis, involving concerned stakeholders, including producing, exporting and importing States, the diamond industry and civil society,

Recognizing that State sovereignty should be fully respected and that the principles of equality, mutual benefits and consensus should be adhered to,

Recognizing also that the Kimberley Process Certification Scheme, which came into effect on 1 January 2003, will be credible only if all participants have established internal systems of control designed to eliminate the presence of conflict diamonds in the chain of producing, exporting and importing rough diamonds within their own territories, while taking into account that differences in production methods and trading practices, as well as differences in institutional controls thereof, may require different approaches to meet minimum standards,

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[1] See A/57/489.

[2] Ibid., annex 2.

1. *Reaffirms its strong support* for the Kimberley Process Certification Scheme;[1]

2. *Recognizes* that the Kimberley Process Certification Scheme can help to ensure the effective implementation of relevant resolutions of the Security Council containing sanctions on the trade in conflict diamonds, and calls for the full implementation of existing Council measures targeting the illicit trade in rough diamonds that play a role in fuelling conflict;

3. *Stresses* that the widest possible participation in the Kimberley Process Certification Scheme is essential and should be encouraged, urges all Member States to participate actively in the Certification Scheme by complying with its undertakings, and welcomes the establishment at the plenary meeting of the Kimberley Process, held in Johannesburg, South Africa, from 28 to 30 April 2003, of a Participation Committee to ensure that participants and applicants willing to join the Certification Scheme meet the minimum standards;

4. *Notes with appreciation* the report of the Chair of the Kimberley Process[3] submitted pursuant to resolution 57/302, and congratulates the Governments, regional economic integration organization representatives, the organized diamond industry and civil society participating in the Kimberley Process for contributing to the development and implementation of the Kimberley Process Certification Scheme;

5. *Takes note* of the decision of the General Council of the World Trade Organization of 15 May 2003 granting a waiver with respect to the measures taken to implement the Kimberley Process Certification Scheme;[4]

6. *Welcomes* the progress achieved at the plenary meeting of the Kimberley Process held in Sun City, South Africa, from 29 to 31 October 2003 by the adoption of a decision on a peer review system for the effective implementation of the Kimberley Process Certification Scheme;

7. *Encourages* participants in the Kimberley Process to allow voluntary review visits in accordance with the decision mentioned in paragraph 6 above, and welcomes the readiness of some participants to host such visits;

8. *Also encourages* participants in the Kimberley Process Certification Scheme to submit annual reports on the implementation of the Certification Scheme to the Chair of the Kimberley Process;

9. *Further encourages* all participants in the Kimberley Process Certification Scheme to collate and submit relevant statistical data on the production of and international trade in rough diamonds as a tool for effective implementation and as envisaged by the Certification Scheme;

10. *Acknowledges with great appreciation* the important contribution that the Government of South Africa has made to the efforts to curb the trade in conflict diamonds in its capacity as the Chair of the Kimberley Process from May 2000 to December 2003, and welcomes the selection of Canada as the Chair and the Russian Federation as the Vice-Chair of the Process for 2004;

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[3] A/58/623, annex.

[4] See WT/L/518. Available from http://docsonline.wto.org.

11. *Requests* the Chair of the Kimberley Process to submit a report on the implementation of the Process to the General Assembly at its fifty-ninth session;

12. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "The role of diamonds in fuelling conflict".

85th plenary meeting
14 April 2004

United Nations A/RES/58/291

General Assembly

Distr.: General
17 May 2004

Fifty-eighth session
Agenda items 50 and 60

Resolution adopted by the General Assembly

[*without reference to a Main Committee (A/58/L.8/Rev.1)*]

58/291. Follow-up to the outcome of the Millennium Summit and integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields

The General Assembly,

Recalling its resolutions 57/144 of 16 December 2002 on follow-up to the outcome of the Millennium Summit and 57/270 A of 20 December 2002 and 57/270 B of 23 June 2003 on integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields,

1. *Decides* to convene in New York in 2005, at the commencement of the sixtieth session of the General Assembly, a high-level plenary meeting of the Assembly with the participation of heads of State and Government, on dates to be decided by the Assembly at its fifty-ninth session;

2. *Also decides* that this major event will undertake a comprehensive review of the progress made in the fulfilment of all the commitments contained in the United Nations Millennium Declaration,[1] including the internationally agreed development goals and the global partnership required for their achievement, and of the progress made in the integrated and coordinated implementation, at the national, regional and international levels, of the outcomes and commitments of the major United Nations conferences and summits in the economic, social and related fields, on the basis of a comprehensive report to be submitted by the Secretary-General;

3. *Requests* the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on suggested modalities, format and organization of this major event for consideration and a final decision by the Assembly, taking into account the open-ended consultations to be carried out by the President of the Assembly.

86th plenary meeting
6 May 2004

[1] See resolution 55/2.

General Assembly

Distr.: General
17 May 2004

Fifty-eighth session
Agenda item 38

Resolution adopted by the General Assembly

[*without reference to a Main Committee (A/58/L.61/Rev.1)*]

58/292. Status of the Occupied Palestinian Territory, including East Jerusalem

The General Assembly,

Recalling its resolutions 3237 (XXIX) of 22 November 1974, 43/177 of 15 December 1988 and 52/250 of 7 July 1998,

Recalling also Security Council resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 1397 (2002) of 12 March 2002 and 1515 (2003) of 19 November 2003,

Recalling further the relevant provisions of international law, as well as relevant United Nations resolutions, with regard to Israeli settlements and to Occupied East Jerusalem,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

Noting that Palestine, in its capacity as observer and pending its attainment of full membership in the United Nations, does not present credentials to the General Assembly,

Affirming the need to enable the Palestinian people to exercise sovereignty and to achieve independence in their State, Palestine,

1. *Affirms* that the status of the Palestinian territory occupied since 1967, including East Jerusalem, remains one of military occupation, and affirms, in accordance with the rules and principles of international law and relevant resolutions of the United Nations, including Security Council resolutions, that the Palestinian people have the right to self-determination and to sovereignty over their territory and that Israel, the occupying Power, has only the duties and obligations of an occupying Power under the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949[1] and the Regulations annexed to the Hague Convention respecting the Laws and Customs of War on Land, of 1907;[2]

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[1] United Nations, *Treaty Series*, vol. 75, No. 973.

[2] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

2. *Expresses its determination* to contribute to the achievement of the inalienable rights of the Palestinian people and the attainment of a just and comprehensive negotiated peace settlement in the Middle East resulting in two viable, sovereign and independent States, Israel and Palestine, based on the pre-1967 borders and living side by side in peace and security.

87th plenary meeting
6 May 2004

General Assembly

Distr.: General
16 June 2004

Fifty-eighth session
Agenda item 169

Resolution adopted by the General Assembly

[*without reference to a Main Committee (A/58/L.62 and Add.1)*]

58/293. International Year of Physics, 2005

The General Assembly,

Recognizing that physics provides a significant basis for the development of the understanding of nature,

Noting that physics and its applications are the basis of many of today's technological advances,

Convinced that education in physics provides men and women with the tools to build the scientific infrastructure essential for development,

Being aware that the year 2005 is the centenary of seminal scientific discoveries by Albert Einstein which are the basis of modern physics,

1. *Welcomes* the proclamation of 2005 as the International Year of Physics by the United Nations Educational, Scientific and Cultural Organization;

2. *Invites* the United Nations Educational, Scientific and Cultural Organization to organize activities celebrating the International Year of Physics, in collaboration with physics societies and other groups throughout the world, including in the developing countries;

3. *Proclaims* 2005 the International Year of Physics.

90th plenary meeting
10 June 2004